

HOUSE BILL 7020
By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 2,
Chapter 10, relative to campaign finance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-10-105, is amended by deleting subsection (c) and by substituting instead the following:

(c) The statements required by subsections (a) and (b) shall be filed electronically pursuant to § 2-10-211(c) as often as shall be necessary in order to ensure that all contributions are reported within ten (10) calendar days of receipt and that all expenditures are reported within ten (10) calendar days of the time made.

SECTION 2. Tennessee Code Annotated, Section 2-10-105, is further amended by deleting subsection (d) and by substituting instead the following:

(d) Each multicandidate political campaign committee shall fully comply with the contribution and expenditure reporting requirements set forth in subsection (c) and § 2-10-107.

SECTION 3. Tennessee Code Annotated, Section 2-10-105, is further amended by deleting subsections (g) and (h).

SECTION 4. Tennessee Code Annotated, Section 2-10-106, is amended by deleting subsection (a).

SECTION 5. Tennessee Code Annotated, Section 2-10-107, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Each § 2-10-105(c) statement shall set forth whether the item being reported is a contribution, expenditure, or in-kind contribution.

(1) For an item reported as a “contribution,” the statement shall list the date of the receipt of each contribution and the first and last name, complete address, and employer, if known, of the person who made the contribution. The statement shall also include the first and last name of any lobbyist if such lobbyist delivered the contribution or in any way insinuated to the recipient, directly or indirectly, that such lobbyist was responsible for the contribution having been made; and

(2) For an item reported as an “expenditure,” the statement shall list the date of each expenditure, the first and last name and complete address of each person to whom the expenditure was made, and the purpose thereof.

(3) For an item reported as an “in-kind contribution,” the statement shall list the date of the receipt of each contribution, as defined in § 2-10-102(4), for which no monetary consideration was paid or promised. The statement shall also include the first and last name, complete address, and employer, if known, of the person who made the contribution and the first and last name of any lobbyist if such lobbyist delivered the contribution or in any way insinuated to the recipient that such lobbyist was responsible for the contribution having been made.

(b) When any candidate or political campaign committee desires to close out a campaign account, it may file a statement to such effect at any time; provided, that the statement shall on its face show no unexpended balance, continuing debts or obligations or deficit.

(c) By rule promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, the registry of election finance shall enumerate a nonexclusive listing of examples of the various categories of contributions

which constitute "in-kind contributions" requiring disclosure. Upon promulgating such rule, the registry shall provide a copy of such rule to each member of the general assembly.

(d) An in-kind contribution is deemed to be made when such contribution is made or performed and not when the cost is billed or paid. The actual cost of the in-kind contribution, if known, shall be reported in the period such contribution is made or performed. If the actual cost of the in-kind contribution is not known, an estimate of the cost shall be reported in the period such contribution is made or performed, and the report shall indicate that the amount reported is estimated. If the actual cost, as indicated on the bill, is different from the amount reported, such amount shall be amended or adjusted on a later report covering the period in which payment is made.

(e) A § 2-10-105(c) statement filed shall also list any unexpended balance, any deficit and any continuing financial obligations of the candidate, campaign or committee.

(f) Payments to a person as reimbursement for expenditures made by the person on behalf of the candidate or committee shall be disclosed as payments to the person who provided the item or service to the candidate or committee.

SECTION 6. Tennessee Code Annotated, Section 2-10-113, is amended by deleting the section in its entirety.

SECTION 7. Tennessee Code Annotated, Section 2-10-206(a), is amended by deleting subdivision (3) and by substituting instead the following:

(3) Promptly post information on contributions and expenditures on the Internet pursuant to § 2-10-211(a)(5);

SECTION 8. Tennessee Code Annotated, Section 2-10-211(a)(5), is amended by deleting the final sentence.

SECTION 9. Tennessee Code Annotated, Section 2-10-105, is amended by deleting the last sentence of subsection (a).

SECTION 10. This act shall take effect July 1, 2006, the public welfare requiring it.